

# Order

Michigan Supreme Court  
Lansing, Michigan

April 28, 2015

Robert P. Young, Jr.,  
Chief Justice

146030

Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 146030  
COA: 303201  
Lake CC: 86-002451-FC

RICHARD ALLEN SIMMONS,  
Defendant-Appellant.

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By order of November 6, 2013, the application for leave to appeal the September 13, 2012 judgment of the Court of Appeals was held in abeyance pending the decisions in *People v Carp* (Docket No. 146478) and *People v Eliason* (Docket No. 147428). On order of the Court, the cases having been decided on July 8, 2014, 496 Mich 440 (2014), the application is again considered. It appearing to this Court that the case of *Montgomery v Louisiana*, cert gtd \_\_\_ US \_\_\_; \_\_\_ S Ct \_\_\_; \_\_\_ L Ed 2d \_\_\_ (2015), is pending before the United States Supreme Court, and that the decision in that case may resolve an issue raised in the present application for leave to appeal, we ORDER that the application be held in ABEYANCE pending the decision in that case.



s0420

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 28, 2015

Clerk